IN THE HIGH COURT OF BOMBAY AT GOA

FIRST APPEAL NO. 328 OF 2006

SHRI. OLWIN ALVARO DOS SANTOS COLACO ... Appellants

Versus

SHRI. PANDHARI GANESH VELIPO ALIAS PANDARI GANESH VELLIP ... Respondents

Mr. V. G. P. Dukle.,for the Appellant.

Mr. M. Amonkar for R.3 to 7A, B, 8 to 15A to E, 20, 21, 24, 25, 28, 29 - absent.

Mr. J.E. Coelho Pereira, Sr. Advocate with Mr. S.karpe For R-31

Coram:- S.A.BOBDE, J.

Date:- 30th March, 2007

ORAL JUDGMENT:

Admit.

Permission to delete the unserved respondents granted.

Taken up for final disposal, with the consent of the respondent No.31, since the said respondent is arrayed in the subject matter of the Order in Appeal. The following order is passed by consent :-

The impugned Order dated 25th August, 2006 passed by the learned District and Sessions Judge, South Goa, Margao under Order VII Rule 11(a) of C.P.C. is hereby set aside. The said respondent No.31 shall be entitled to make such application, as may be advised, in regard to his status as defendant in the Civil Suit No. 289/2004. Order accordingly.

Appeal disposed of. Civil Application No. 328/06 accordingly stands

disposed of.

S.A.BOBDE, J.

sl.